

AD-11
Ct No.36
28.03.2025
(SSS)

RVW No. 18 of 2024
In
CO 3299 of 2022

Smt. Koli Sardar and Anr.
Vs.
Minor Hiranyakshi Sardar and Ors.

Mr. Md. Nure Zaman,
Mr. Somen Bose
.....For the Petitioners.

Mr. Supratim Dhar, Sr. Adv.
Mr. Dhananjay Nayak
...For the Opposite Parties.

Mr. Sukumar Bhattacharyya,
Ms. Sumita Sarkar
....For the Respondent No. 3.

1. This is an application for review of the order dated December 7, 2023 passed in CO 3299 of 2022.
2. The order of injunction over the entire death benefits of the deceased/predecessor-in-interest of the parties in the suit, had been challenged before this court. This court had set aside the order of injunction dated April 21, 2022 passed by the learned Civil Judge (Senior Division), Additional Court at Bankura in Miscellaneous Appeal No. 4 of 2018. This court had directed that 50% of the death benefits of the deceased should be disbursed by the employer in favour of the petitioners and the remaining 50% shall

be deposited in a renewable fixed deposit in a nationalized bank and disbursement of the same would be made upon final adjudication of the suit.

3. The petitioners were free to apply before the employer as directed by this court. There is no scope for any review because the order, is clear. In terms of the order the petitioner could always apply before the employer for the disbursal of the 50% of the death benefits of the deceased employee.

4. A party can seek review of an order on grounds of discovery of new evidence, error apparent on the face of record or for sufficient reasons, analogous to the first two. The grounds pleaded amount to asking this court to enlarge the scope of the writ petition and to pass such orders which are beyond the pleadings. In review, a court cannot rehear the entire writ petition.

5. The application for review is dismissed.

(Shampa Sarkar, J.)